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6 *Attorneys for Defendants*

Commonwealth Land Title Insurance Corporation and

7 *Lawyers Title Insurance Company*

8 **IN THE UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA**

10 **SAN FRANCISCO DIVISION**

11 VIVIAN R. HAYS, an individual; KENNETH)
WOOD, an individual; ANGELA M. ARTHUR,)
12 as Trustee of the Arthur Declaration of Trust,)
dated December 29, 1988; LEAPIN EAGLE,)
13 LLC, a New York limited liability company; and)
all others similarly situated,)

14 Plaintiffs,)

15 vs.)

16 COMMONWEALTH LAND TITLE)
INSURANCE COMPANY, a Nebraska)
17 corporation; LAWYERS TITLE INSURANCE)
CORPORATION, a Nebraska corporation; and)
18 DOES 1 through 20,)

19 Defendants.)
20)

Case No. 3:10-cv-05336-JSW

Hon. Jeffrey S. White

**STIPULATION AND [PROPOSED]
ORDER CANCELLING CASE
MANAGEMENT CONFERENCE
SCHEDULED FOR MARCH 18, 2011**

Crtrm: 11, 19th Floor

21 WHEREAS, this action ("Complaint") was filed on November 24, 2010;

22 WHEREAS, the Complaint was served on CT Corporation as statutory agent for Defendants
23 Commonwealth Land Title Insurance Company and Lawyers Title Insurance Corporation
24 ("Defendants") on December 9, 2010;

25 WHEREAS, on February 2, 2011, the United States Judicial Panel on Multidistrict Litigation
26 ("MDL Panel") filed a Conditional Transfer Order ("CTO") and Plaintiffs have stipulated to transfer
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1 and consolidation to the United States District Court for the District of South Carolina
2 (“Consolidated Court”), as set forth in the CTO;

3 WHEREAS, on February 8, 2011, this action was transferred from the Honorable Laurel
4 Beeler to the Honorable Jeffrey S. White;

5 WHEREAS, on February 8, 2011, the Honorable Judge White issued an Order setting the
6 Case Management Conference in this action for March 18, 2011, at 1:30 p.m. (“Scheduled CMC”);

7 WHEREAS, on February 16, 2011, the Honorable Judge White granted the parties’ Proposed
8 Order Extending Defendants’ Time to File a Pleading Responsive to Plaintiffs’ Complaint;

9 WHEREAS, the parties understand that this action will likely be transferred to the
10 Consolidated Court prior to Defendants’ deadline to file a responsive pleading to the Complaint;

11 WHEREAS, consistent with the goals of efficiency, coordination, and judicial economy that
12 underlie transfer orders by the MDL Panel, the parties also understand that once this action is
13 transferred to the Consolidated Court, the Consolidated Court may wish to hold a Case Management
14 Conference and establish a discovery schedule that coordinates this action with other related matters
15 that have also been transferred to the Consolidated Court; and

16 NOW THEREFORE, the undersigned parties through their respective counsel stipulate to
17 cancel the Scheduled CMC in order to permit the Consolidated Court to schedule a Case
18 Management Conference once this action is transferred to the United States District Court for the
19 District of South Carolina.

20 This stipulation may be executed in counterparts, including by signature transmitted by
21 facsimile.

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2 Dated: March 8, 2011

Respectfully Submitted,

3 DEWEY & LEBOEUF LLP

4 By: /s/ Margaret A. Keane
5 Margaret A. Keane (SBN 255378)
6 Sebastian L. Miller (SBN 265793)

7 *Attorneys for Defendants*
8 *Commonwealth Land Title Insurance Company and*
9 *Lawyers Title Insurance Corporation*

10 Dated: March 8, 2011

HOLLISTER & BRACE, APC

11 By: /s/ Robert L. Brace
12 Robert L. Brace
13 Michael P. Denver


FOLEY BEZEK BEHLE & CURTIS, LLP

14 By: /s/ Thomas G. Foley, Jr.
15 Thomas G. Foley, Jr.
16 Justin P. Karczag

Attorneys for Plaintiffs

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18 IT IS SO ORDERED:

19
20 DATE: March 8, 2011


21 HONORABLE JEFFREY S. WHITE
22 UNITED STATES DISTRICT COURT JUDGE
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1 I, Margaret A. Keane, am the ECF User whose ID and password are being used to file this
2 STIPULATION AND [PROPOSED] ORDER CANCELLING CASE MANAGEMENT
3 CONFERENCE SCHEDULED FOR MARCH 18, 2011. In compliance with General Order 45,
4 X.B., I hereby attest that counsel whose e-signatures appear on the foregoing signature pages have
5 concurred with this filing.

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7 /s/ Margaret A. Keane
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